IN THE HIGH COURT OF PUNJAB & HARYAN AT CHANDIGARH

R.S.A. No. 3431 of 2003
Date of decision: January 15,2007

Kamaljit Singh and others V. Pargat Singh and others

CORAM: HON'BLE MR.JUSTICE VINEY MITTAL

Present: Shri K.S.Dadwal,Advocate, for the appellants.

Viney Mittal,J.(Oral)

This order shall dispose of both the Regular Second Appeals being R.S.As. No.3431 and 3432 of 2003 as both the appeals have been filed by the plaintiffs against the common judgment and decree of the learned first appellate court.

The plaintiffs are in second appeal.

A suit for declaration was filed by the plaintiffs claiming that they have become the owners of the suit land by way of adverse possession. This court has already taken a view in RSA No.2717 of 2004(Bhim Singh and others V. Zile Singh and others) decided on March 3,2006 that suit for declaration filed by a plaintiff that he has become the owner by way of adverse possession is not legally maintainable.

In view of the above, the suit filed by the plaintiffs cannot be held to be maintainable, in any manner. Consequently, I find no merit in the present appeals.

Dismissed.

January 15,2007 (Viney Mittal)
sks Judge